

MINUTES OF
EUREKA CITY COUNCIL
EUREKA REDEVELOPMENT AGENCY

APRIL 4, 2006

The City Council/Redevelopment Agency of the City of Eureka met in REGULAR Session on the above date, 5:30 p.m. Closed Session, 6:30 p.m. Open Session, at the Eureka City Hall, Council Chambers, 531 "K" Street, Eureka.

PRESIDING: MAYOR LA VALLEE

PRESENT: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES

ABSENT: NONE

MINUTES PREPARED BY:

COUNCIL APPROVAL ACKNOWLEDGED:

Kathleen L. Franco Simmons
City Clerk

Peter La Vallee
Mayor

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: Public comment prior to closed session

ACTION:

No one expressed an interest in addressing the Council at this time.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 5, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: Closed session

ACTION:

Council met in closed session to discuss the following matters:

B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation: one case.

Pursuant to California Government Code Section 54956.9(b)

Upon reconvening to Open Session, it was announced that there was no action to be reported.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item B

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: Mayor's announcements

ACTION:

Barbra Fortier, Event Coordinator, provided an update regarding the City's 150th Anniversary Celebration, April 22, 2006, from 1:00-5:00 p.m. at the Adorni.

Mayor La Vallee presented the following proclamations:

"North Coast Telehealth Week April 1 – 7, 2006"

"Humboldt Arts Council – 40th Anniversary" received by Sally Arnot and Muriel Dinsmore

"Sexual Assault Awareness Month April 2006" received by Mariann Haysmeriani

"National Volunteer Week April 23rd-20th" received by Sally Arnot and Muriel Dinsmore

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item M/A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: Council reports

ACTION:

Councilmember Jones shared a Humboldt County Convention and Visitor's Bureau/Film Commission media release announcing the Humboldt Crabs' debut on the Tonight Show.

Councilmember Wolford provided a report regarding the League of California Cities' Policy Committee - Employee Relations Committee meeting which she attended recently.

Councilmember Leonard announced vacancies on the Zoo Foundation Board.

Mayor La Vallee welcomed students from his class at HSU.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item C/R

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: Public comment period

ACTION:

The following individuals addressed the council at this time:

Russ Hoppe, Eureka, spoke regarding high suicide rates, high drug overdose rates, and high sexual predator rates in Humboldt County.

Dennis Mayo, McKinleyville, spoke regarding the Street Legal Drag Racing Program.

Mark Konkler, Eureka, requested items 3 and 4 be pulled to receive a report, and requested an update regarding the skatepark.

Larry Glass, Eureka, Citizens for Real Economic Growth, spoke regarding the public portion of the CEQA scoping process and a workshop to be held Tuesday April 11, 6:30 p.m. at Wharfinger Building.

Catherine Donahue, Arcata/Blue Lake, registered nurse – St. Joseph's Hospital, spoke regarding restructuring and layoffs at St Joseph's hospital. She requested a spot on an upcoming agenda to discuss community impacts.

Without objection, Councilmember Kerrigan requested this subject matter to be agendized for discussion April 18.

Bill Urman, Labor Representative-California Nurses Association spoke regarding the hospital workforce issues and community impacts.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Agenda Item 1

MINUTE ORDER, APRIL 4, 2006

ITEM: 1

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STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item 1

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: Council meeting minutes.

ACTION:

Council approved the regular Council/Agency meeting minutes of March 21 and the special meeting minutes of March 22, 2006 as submitted.

Adopted on motion by Councilmember BASS-JACKSON, seconded by Councilmember JONES, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. City Clerk

Agenda Item 2

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: City Manager Appointment.

ACTION:

City Manager Tyson provided a report regarding this item and item 4. No individuals expressed an interest in addressing the council regarding this subject matter.

Council authorized the Mayor to execute the City Manager At-Will Employment Agreement with David W. Tyson through December 31, 2010.

Adopted on motion by Councilmember KERRIGAN, seconded by Councilmember JONES, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. City Manager

Agenda Item 3

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: City Clerk At-Will Employment Agreement for Professional Services.

ACTION:

Council adopted Resolution No. 2006-24 authorizing the Mayor to execute the City Clerk At-Will Employment Agreement for Professional Services with Kathleen L. Franco Simmons.

Adopted on motion by Councilmember KERRIGAN, seconded by Councilmember JONES, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. City Clerk

Agenda Item 4

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: Eureka Chamber of Commerce Rhododendron Parade.

ACTION:

Council took action to sponsor the Chamber of Commerce Rhododendron Parade that will commemorate the City's 150th Anniversary Celebration by waiving City's insurance requirements.

Adopted on motion by Councilmember BASS-JACKSON, seconded by Councilmember JONES, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. City Manager

Agenda Item 5

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: Tri-County Independent Living Assistive Technology Expo & Disability Fair.

ACTION:

Council took action to waive Adorni Center building and use fees for the third annual A.T. (Assistive Technology) Expo and Disability Fair to be held October 6, 2006.

Adopted on motion by Councilmember BASS-JACKSON, seconded by Councilmember JONES, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. City Manager

Agenda Item 6

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: Municipal Lease Proposal – Fire Engine.

ACTION:

Council authorized the purchase of one fire engine for the amount not to exceed \$425,000 in conjunction with Sacramento Metro Fire District competitive “Type 1 Engine” as approved by the Board of Directors of the Sacramento Metro Fire Protection District at their April 27, 2005 meeting; awarded to Golden State Fire Equipment, Modesto, California; adopted Resolution No. 2006-25 authorizing lease agreement with Municipal Services Group, Inc. for one fire engine; and directed the City Manager to execute the necessary lease documents.

Adopted on motion by Councilmember BASS-JACKSON, seconded by Councilmember JONES, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Finance Director

Agenda Item 7

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: Purchase of five (5) Police patrol sedans.

ACTION:

Council awarded Bid No. 2006-15 to lowest responsive bidder, Harper Ford Country, in the amount of \$123,942.40.

Adopted on motion by Councilmember BASS-JACKSON, seconded by Councilmember JONES, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Assistant City Manager-Operations

Agenda Item 8

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: Ordinance amending Eureka Municipal Code Sections 130.10 and 130.11
pertaining to property requiring a disproportionate level of police services.

ACTION:

Police Chief David Douglas provided a report. The following individuals addressed the council regarding this subject matter:

Larry Glass, owner-The Works

Orion Palomar, Eureka

Greg Gehr, Eureka

Council adopted, waived reading, and read by title only, Bill No. 755-C.S. Ordinance No. 707-C.S. amending Sections 130.10 and 130.11 of the Eureka Municipal Code pertaining to property requiring a disproportionate level of police services, with the amendment to strike the commercial, retail, industrial definition in "A" and add language stating that the appeal process be free of charge; and requested the ordinance be brought back for review for possible amendments in six months.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 4, 2006.

SUBJECT: Adjournment

ACTION:

On motion by Councilmember WOLFORD, seconded by Councilmember LEONARD, and without objection, the meeting was adjourned at 8:09 p.m.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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